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Personnel--General

Prohibited and Regulated Activities

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This UPDATE publishes a new Change 4, which is effective 31 May 1997. The strikethrough and underscore method is used for the portions of the text that are revised.

For the Commander:

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Summary. This regulation identifies United States Army Recruiting Command prohibited activities. Failure by any United States Army Recruiting Command personnel to comply with its provisions may subject soldiers to disciplinary action under the Uniform Code of Military Justice and civilian employees to disciplinary or adverse actions under Federal law and regulations. The enumeration of proscribed activities herein does not preclude prosecution for violations of other Army or Recruiting Command regulations or of other laws.

Applicability. This regulation applies to and is binding on all military and civilian personnel assigned, attached, detailed, or on temporary duty with the United States Army Recruiting Command.

Impact on New Manning System. This regulation does not contain information that affects the New Manning System.

Supplementation. Supplementation of this regulation is prohibited.

Suggested improvements. The proponent agency of this regulation is the Office of the Staff Judge Advocate. Users are invited to send comments and suggested improvements on DA Form 2028 (Recommended Changes to Publications and Blank Forms) directly to HQ USAREC (RCSJA), Fort Knox, KY 40121-2726.

Distribution. Distribution of this regulation has been made in accordance with USAREC Pam 25-30, distribution Y. This regulation is published in the Recruiter Management UPDATE.

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Chapter 1

General

1-1. Purpose

This regulation enumerates certain prohibited activities by United States Army Recruiting Command (USAREC) personnel. It is not intended to be all inclusive. Violations of law or other USAREC or Army regulations may result in adverse administrative or disciplinary actions.

1-2. References

Related publications and blank forms are listed in appendix A. Table 1-1 lists other punitive USAREC publications.

1-3. Explanation of abbreviations

- a. DEP — Delayed Entry Program
- b. Rctg Bn — recruiting battalion
- c. USAREC — United States Army Recruiting Command

1-4. Policy

a. Chapter 2 is punitive. This means that failure by any USAREC personnel to comply with its provisions may subject soldiers to disciplinary action under the Uniform Code of Military Justice (UCMJ) and civilian employees to disciplinary or adverse actions under Federal law and regulations.

b. ~~The authority to impose nonjudicial punishment for violations of paragraphs 2-1 through 2-6 and paragraphs 2-11 through 2-13 of this regulation is limited to field grade commanders. The authority to impose nonjudicial punishment for~~

~~violations of paragraphs 2-1 through 2-3 of this regulation is limited to recruiting brigade commanders. The authority to impose nonjudicial punishment for violations of paragraphs 2-4 through 2-13 of this regulation is limited to field grade commanders.~~

c. Should any portion of this regulation be declared invalid by a court of law, that declaration shall not affect the validity of any other portion of this regulation.

1-5. Responsibilities

a. USAREC personnel must report known or suspected violations of this regulation to the first commissioned officer in the chain of command or supervision.

b. Recruiting battalion (Rctg Bn) commanders will report known or suspected violations of this regulation to HQ USAREC (RCPER-HR-S), Fort Knox, KY 40121-2726, in accordance with USAREC Reg 380-4, if the violation may have an adverse impact on recruiting. Improper relationships between recruiters and subjects of recruiting efforts such as members of the Delayed Entry Program (DEP) are presumed to have an adverse impact on recruiting and must be reported.

c. Felony-level offenses will be reported to the servicing United States Army Criminal Investigation Command office (see USAREC Reg 27-2, table 2) to ensure necessary investigations and reports are initiated.

*This regulation supersedes USAREC Regulation 600-25, 3 October 1989, and portions of USAREC Suppl 1 to AR 600-50, 2 June 1989.

d. Rctg Bn commanders will investigate each known or suspected violation by conducting either a commander's inquiry under the provisions of Rule 303, Manual for Courts-Martial (MCM), or an informal investigation under the provisions of AR 15-6. Specific procedures are provided in USAREC Pam 27-65.

e. Reports of investigation and statement of action taken will be sent to the appropriate recruiting brigade headquarters, ATTN: Brigade Judge Advocate, within 15 days of completion of the investigation.

1-6. Processing

a. Upon completion of commander's inquiry and/or informal investigation, commanders will consult with the brigade judge advocate prior to imposing nonjudicial punishment, preferring charges, or initiating court-martial action against a soldier.

b. Alleged or suspected recruiting improprieties will be processed in accordance with USAREC Reg 601-45.

NOTE: Unlike some recruiting improprieties, substantiated violations of USAREC Reg 600-25 do not require Commanding General, USAREC, action for final disposition.

Chapter 2

Prohibited Practices

2-1. Unauthorized relationships

a. The following activities with subjects of recruiting efforts including contacts and prospects (includes all high school students regardless of qualification for military service), applicants, members of the DEP (any branch of service), or Delayed Training Program (any branch of service) are prohibited:

(1) Any social activity of a personal, unofficial nature. Prohibited activities include, but are not limited to:

- (a) Any type of romantic or sexual conduct;
- (b) Sharing of lodging or personal vehicle;
- (c) Drinking of alcoholic beverages; and
- (d) Unofficial, personal contact such as entertainment, dining, recreation, dating, or other intimacy.

(2) Sale, purchase, lease, giving, receiving, loaning, borrowing, or other exchange of any money or property.

(3) Personal employment (i.e., baby-sitting, maintenance, etc.).

b. Recruiting responsibilities concerning the subjects of recruiting efforts are not completed except as follows:

(1) Enlistees must physically depart for active duty or initial active duty for training.

(2) Applicants who are permanently disqualified must be returned home from the Military Entrance Processing Station and/or the recruiting station.

(3) Applicants who are temporarily disqualified continue to be regarded as prospects. This includes DEP losses who may be qualified to enlist at a later date.

(4) Prospects or contacts retain that status even if they are no longer interested in the Army if the USAREC member first met that person in the course of official duty. For example, recruiters can date someone they first met on an unofficial, social occasion but cannot do so if their first meeting was during an official activity such as a Total Army Involvement in Recruiting event or DEP function.

c. This regulation does not prohibit socializing or contact between members of a recruiter's family. If a member of a recruiter's family becomes interested in enlisting, the recruiter may process that person for enlistment and receive enlistment credit subject to the requirements of USAREC Reg 600-22. A notation of the family relationship will be made in the remarks block of DD Form 1966 (Record of Military Processing - Armed Forces of the United States).

d. The prohibitions in this paragraph do not apply to social functions or activities such as DEP functions authorized by regulation or field grade commanders.

e. USAREC commissioned officer commanders may, on a case-by-case basis, approve, in writing, requests from their subordinate USAREC personnel to participate in acts otherwise prohibited in this paragraph if the person already had a personal relationship with an individual who later becomes a contact, prospect, or applicant for enlistment or appointment, or to employ a high school student who is not an applicant. For instance, if someone a recruiter has been dating (other than a high school student) decides to process for enlistment, the commander could approve the recruiter's request to continue dating that person. However, the recruiter will not be able to do any of the enlistment processing for that person or receive enlistment credit. If a change of processing responsibility is necessary, an explanation will be entered in the remarks block of DD Form 1966 series.

2-2. Fraternization

USAREC military and civilian personnel will not engage in any conduct, activity, or relationship that:

a. Involves or appears to involve partiality or unfairness;

b. Involves an actual or apparent improper use of rank or position for personal gain such as borrowing money from subordinates; or

c. Creates an actual or clearly predictable adverse impact on discipline, authority, or morale. This includes supervisory or other duty relationships that conflict with personal, unofficial relationships. For example, dating or any type of romantic or sexual relations with a subordinate such as a participant in the social activity, as defined in paragraph 2-1a(1), with soldiers prior to them reporting to their first permanent duty station (Regular Army) or returning to their units military occupational specialty qualified (United States Army Reserve), and subordinate Home-town Recruiter Assistance Program or active duty for special work participants, violates this

regulation. Similar conduct involving a USAREC member and a member of the United States Military Entrance Processing Command is prohibited if the relationship could affect or reasonably appears to affect the mission accomplishment of the USAREC member.

2-3. Sexual harassment

No USAREC personnel will sexually harass any person. Sexual harassment includes any verbal or physical contact of a sexual nature to control, influence, or affect the career, pay, or job of another; deliberate or repeated verbal comments or gestures of a sexual nature that are offensive to a reasonable person in the same or similar circumstances; or any unwelcome, deliberate or repeated sexual advances or requests for sexual favors.

2-4. Misuse of alcohol

The following misuses of alcohol are prohibited:

a. Consumption of alcoholic beverages while on duty. For purposes of this regulation, on duty includes during meals or other breaks when the soldier is scheduled to return to a recruiting facility or have contact with an applicant. A field grade commander (or in a case involving Headquarters, United States Army Recruiting Command, the Chief of Staff) may approve exceptions on a case-by-case basis such as Holiday Balls or other social activities.

b. Drunk driving. Definitions and procedures are prescribed by USAREC Reg 190-3.

c. Driving a Government-owned or provided vehicle (including rental car) within 8 hours of consuming alcohol.

d. Consuming alcohol with a subject of a recruiting effort.

e. Reporting for duty under the influence of alcohol. For the purpose of this paragraph, an individual with a blood alcohol content of .03 or greater is presumed to be under the influence of alcohol. In the absence of a blood alcohol test, direct or other evidence can be used to establish this condition.

f. Possession, transportation, or consumption of alcohol in any recruiting facility or Government vehicle, to include Government-provided rental cars.

g. The use of alcoholic beverages as a recruiting incentive.

h. Allowing any individual under the state drinking age to consume alcoholic beverages at a command sponsored social activity.

2-5. Weapons

The possession of any of the following items in a recruiting facility or the transportation thereof in a Government-owned or provided vehicle is prohibited:

a. Privately-owned weapons, including but not limited to, firearms, compressed air guns, BB guns, stun guns, or shotguns;

b. Government weapons, without the prior written permission of the Rctg Bn commander;

c. Handguns, including but not limited to, pis-

tols, revolvers, or blank and starter pistols;

d. Knives with a switchblade, automatic opener, or blade longer than 4 inches;

e. Blackjacks, sappers, numchuks, billie clubs, night sticks, riot batons, homemade clubs, Kung Fu sticks, garots, or other related items;

f. Brass knuckles, knucklers, and any other device fitting over the hand used for the purpose of striking;

g. Slingshots, bows, crossbows, or similar devices;

h. Any type of pyrotechnics or explosives, including simulators, ammunition, or grenades. This does not include military or civilian automotive road flares designed for use as temporary hazard warning devices.

2-6. Misuse of Government equipment

a. The following misuses of automation equipment are prohibited:

(1) Loading software on to more than one computer at a time, unless authorized by the copyright holder in writing;

(2) Use of computer games on USAREC equipment; or

(3) Use of Government computers or peripherals for personal use. This includes use of the system to dial other computers that are not a part of official duties.

(4) Additional guidance concerning the use of Government automation equipment is contained in AR 380-19 and USAREC Reg 25-1.

b. Misuse of Government communication equipment. Use of Government communication equipment, to include telephones, facsimile machines, and E-mail for other than authorized uses is prohibited. This includes all unofficial toll calls and other unofficial use not approved by the supervisor of the soldier or employee. Supervisors can approve unofficial calls that are in the Government's interest in accordance with USAREC Reg 25-10.

c.b. Government property, facilities, and personnel (during duty hours) cannot be used to make personal gifts. This prohibition includes the use of the United States Army Recruiting Support Command carpentry shop, training aids facility, or any self-service supply center. It also applies even though "scrap" material is used, or a private organization (e.g., cup and flower fund) or individual supplies the material at no cost to the Government. This paragraph does not preclude the use of morale support activities (e.g., craft shop) during nonduty hours.

d.e. Government-owned or leased vehicles can only be used for official purposes as outlined in USAREC Reg 56-1. Transportation of unauthorized passengers and unauthorized domicile-to-duty use of such vehicles is prohibited.

e.d. USAREC personnel, including private associations (e.g., cup and flower funds), will not operate any private business such as vending machines in a recruiting facility. Coffee charges above cost are also prohibited.

2-7. Demonstrations

Military personnel are prohibited from participating in picket lines or other public demonstrations:

a. During hours when they are required to be present for duty;

b. While in uniform or wearing any item which identifies them as a soldier;

c. In the vicinity of a recruiting facility or military installation;

d. When the activities constitute a breach of the peace; or

e. When violence is reasonably likely to result.

2-8. Gambling

Participation in gambling activities while in any recruiting station, facility, or headquarters, Government vehicle, when on duty, or with subordinates is prohibited. This includes lotteries, pools, and the sale or purchase of related tickets.

2-9. Dress and appearance

During the hours military personnel are required to be present for duty, they will conform their dress and appearance to the standards prescribed by AR 670-1.

2-10. Standards of conduct

a. Membership in frequent flyer programs is voluntary but encouraged. Points may only be used in conjunction with official travel and should be accumulated to reduce future official travel expenses. In order to avoid perceptions of waste or extravagance, USAREC personnel must exercise sound judgment when using points for travel and/or accommodation upgrades.

b. Commanders cannot give recruiting incentive awards from their personal funds, but can provide recruiters with shared meals and similar courtesies.

2-11. Misuse of Government credit and/or charge cards

a. No Government credit and/or charge card may be used for unofficial purposes by any member of USAREC. Personnel will not use a Government charge and/or credit card (to include obtaining cash advances) unless on temporary duty pursuant to official orders or at home station for items reimbursable in accordance with the JFTR, JTR, and AR 37-106 with USAREC Suppl 1 thereto USAREC Reg 37-16.

b. No Government credit and/or charge card may be used to obtain cash advances in order to purchase any item for unofficial purposes to include, but not limited to meals, lodging, entertainment, commercial transportation, or retail merchandise.

c. No Government card holder may allow use of their credit and/or charge card by any other person(s) for any reason.

d. For the purposes of this regulation, Government credit and/or charge card includes any card issued to a USAREC member because of his or her official position even if he or she receives billing for this card directly from the

credit and/or charge card company.

2-12. Misrepresentation and coercion

a. Recruiters will not knowingly make any material misrepresentation, false promise, or unauthorized commitment for the purpose of inducing an individual to enlist or transfer from a reserve component. This includes "conditional" enlistments in which an applicant enlists based on the recruiter's assurance that the applicant's prospects for selection for another program will improve.

b. Recruiters will not threaten, coerce, or intimidate any person for the purpose of inducing a member of the DEP to report to active duty; misrepresent the likelihood of being apprehended and ordered to active duty; or obstruct an individual from being separated from the DEP. Although recruiters may properly attempt to "re-sell" an applicant, they will not harass the applicant and will not unreasonably delay the processing of an applicant's request for separation.

2-13. Voluntary services

No personnel, to include prospects, applicants, DEP members, and members of the Delayed Training Program, may provide voluntary services (such as community service or internships) in a recruiting station without written approval from the servicing civilian personnel office and the Rctg Bn commander with the exception of community service performed pursuant to a criminal conviction or other adverse disposition which is strictly prohibited.

Table 1-1
Other punitive USAREC publications

Publication	Description
USAREC Reg 25-1	Prohibits misuse of Government automation equipment and breaches of security when using remote terminals.
USAREC Reg 25-10	Prohibits the use of Government communication equipment for unofficial purposes.
USAREC Reg 55-2	Provides guidance on accountability of negotiable instruments, media, and meal tickets. Failure to follow proper procedures may result in disciplinary action.
USAREC Reg 56-1	Prohibits the use of Government vehicles for unofficial use including domicile -to-duty unless specifically authorized, transportation of family members, and personal errands.
USAREC Reg 140-3	Provides for the proper processing of Individual Ready Reserve to troop program unit transfer. Failure to follow proper procedures may result in disciplinary actions.
USAREC Reg 380-4	Provides guidance on the handling of classified and For Official Use Only information.
USAREC Reg 600-22	Prohibits poaching.
USAREC Reg 601-45	Prohibits intentional or grossly negligent acts or omissions to process or enlist unqualified applicants.
USAREC Reg 601-56	Provides for the proper processing of waivers and DEP separations. Failure to follow proper procedures may result in adverse action.
USAREC Reg 601-89	Prohibits presigned USMEPCOM Form 714-A (Request for Examination).
USAREC Reg 601-101	Prohibits credential laundering, transportation of applicants to and from school, and the enlistment of applicants without required tier evaluation.
USAREC Reg 611-4	Prohibits the coaching of applicants, practice testing, and compromise of the Computerized Adaptive Screening Test or the Enlistment Screening Test.
USAREC Reg 715-1	Prohibits unauthorized commitments, conflicts of interest by procurement officials, and unauthorized disclosures.

Appendix A References

Section I Related Publications

AR 15-6

Procedures for Investigating Officers and Boards of Officers.

~~AR 37-106 with USAREC Suppl 1 thereto~~
Finance and Accounting for Installations Travel and Transportation Allowances.

AR 380-19

Information Systems Security.

AR 600-20

Army Command Policy.

AR 670-1

Wear and Appearance of Army Uniforms and Insignia.

JFTR, Vol 1

Uniformed Service Members.

JTR, Vol 2

DOD Civilian Personnel.

MCM

Manual for Courts-Martial, United States.

UCMJ

Uniform Code of Military Justice.

USAREC Reg 25-1

Information Resources Management Program.

USAREC Reg 25-10

Telecommunications Management.

USAREC Reg 27-2

Legal Services Support for the United States Army Recruiting Command.

USAREC Reg 37-16

Recruiter Expense Allowance.

USAREC Reg 55-2

Applicant Meals, Lodging, Travel, and Accountability of Negotiable Media and Meal Tickets.

USAREC Reg 56-1

Management of Government-Owned Vehicles.

USAREC Reg 140-3

Request for Reserve Unit Assignment of Individual Ready Reserve Members.

USAREC Reg 190-3

Procedures in Drunk Driving Cases.

USAREC Reg 380-4

Security Program.

USAREC Reg 600-22

Assignment of Enlistment Processing Responsibility.

USAREC Reg 601-45

Recruiting Improprieties Policies and Procedures.

USAREC Reg 601-56

Waiver, Delayed Entry Program Separation, and Void Enlistment Processing Procedures.

USAREC Reg 601-89

Completion of the Request for Examination Form.

USAREC Reg 601-101

Education Enlistment Credentials.

USAREC Reg 611-4

Screening Tests.

USAREC Reg 715-1

Procurement Management and Control.

USAREC Pam 27-65

Procedural Guide for the United States Army Recruiting Command Investigating Officer.

Section II

Related Forms

DD Form 1966 series

Record of Military Processing - Armed Forces of the United States.

USMEPCOM Form 714-A

Request for Examination.